

#### ARTICLE 1

To see if the Town will hear a report from the Board of Selectmen for the calendar year preceding this Annual Town Meeting and receive the Annual Report made available to the inhabitants of the Town pursuant to Massachusetts General Laws Chapter 40, Section 49.

Pass any vote or take any action relative thereto.

**Sponsor: Board of Selectmen** 

**April 27, 2016 Voted:** That the Town hear a report from the Board of Selectmen for the calendar year preceding this Annual Town Meeting and receive the Annual Report made available to the inhabitants of the Town pursuant to Massachusetts General Laws, Chapter 40, Section 49.

Further, after this report is given, that this article be disposed.



#### **ARTICLE 2**

To see if the Town will vote to receive reports from various Departments, Boards, Committees and Commissions listed in this warrant article. Said reports should be in writing and bound together, placed together on the table at Town Meeting for Town Meeting Members, and posted on the Town website.

The requested reports are listed below with the reference to a Town bylaw, a Mass. General Law (MGL) or a Town Meeting article (ATM = Annual Town Meeting, STM = Special Town Meeting).

- 1. Report from the Planning Board on the status of:
  - a) Zoning Bylaw changes approved by Town Meeting and sent to the Attorney General in 2015. (Bylaws Article III Section 1.13.5.b)
    - i) Zoning Bylaw changes (2015 ATM Art. 30)
    - ii) Zoning Bylaw changes (2015 ATM Art. 31)
    - iii) Zoning Map changes (2015 ATM Art. 32)
  - b) The Master Plan, and on plans for development in the Town.

    (MGL Chapter 41, Section 71 and Bylaws Article III Section 1.13.4)
  - c) Re-codifying Framingham's Zoning Bylaw (2014 STM Art. 8 Resolution A)
- 2. Report from the Town Manager on the following:
  - a) Streets that are in use by the public but not yet accepted by the Town as public ways and proposing a plan for these streets to be accepted as public ways. This report shall describe the methodology to insure that new streets are accepted in a timely manner (2013 FTM Resolution by Stephen Shull)
  - b) Status of funds appropriated for open space and conservation lands (2015 ATM Art. 21)
- 3. Report from the Chief Financial Officer on the following:
  - a) Land acquisition approved at a Town Meeting in 2015 not otherwise reported (Bylaw Article III, Section 1.13.6b)
  - b) Use of mitigation funds received during the previous fiscal year and the status of unexpended mitigation funds not otherwise reported (Bylaw Article III, Section 1.13.6c)
  - c) Status of authorized but not completed Capital Budget projects not otherwise reported (Bylaw Article III, Section 1.13.6d)
  - d) Status of special appropriations approved by Town Meeting and not fully expended or not previously reported on. (Bylaw Article III, Section 1.13.2)
- 4. Report from the Director of Parks and Recreation on the status of special appropriations approved by Town Meeting:
  - a) Children's Grove at Cushing Park
  - b) Appropriate funds for the Mary Dennison Park Emergency Environmental Testing & Remediation Project (2014 STM Art. 17)
  - c) Skate Park (2015 ATM Art. 26)
  - d) Loring Arena (2015 ATM Art. 15)
- 5. Report from the Director of Public Works on the status of special appropriations approved by



### **ARTICLE 2 (CONTINUED)**

Town Meeting and not fully expended or not previously reported on including but not restricted to the following (Bylaws Art. III Section 1.13.2):

- a) Birch Road well project
- b) New Walnut Street Pumping Station
- 6. Report from the Town Clerk on the status of bylaw changes approved by Town Meeting and sent to the Attorney General in 2015. (Bylaws Article III Section 1.13.5. a)
  - a) Article VII, Section 5.7.1 Historic District (2015 ATM Art. 33)
  - b) Article II, Section 23.2 Disability Commission (2015 ATM Art. 39)
  - c) Article I, Section 1.3 and Article III, Section 3.4 Government Study Committee (2015 ATM Art. 40)
  - d) Article II, Section 16.3 Real Property Committee (2015 ATM Art. 41)
  - e) Article I, Section 2.3 Time of Meetings (2015 ATM Art. 42)
  - f) Article I, Section 5.10 and 5.11 Executive Session Minutes (2015 ATM Art. 44)
  - g) Article V, Section 1.4.1 Sampling and Sale of Wine and Beer (2015 ATM Art. 45)
  - h) Article V, Section 1.4.1 Sampling and Sale of Wine and Beer (2015 FTM Art. 26)
  - i) Article II, Section 7 Chief Procurement Officer (2015 FTM Art. 27)
- 7. Reports from the Board of Selectmen on:
  - a) The status of petitions to the legislature approved by Town Meeting in 2015 or before 2015 and not reported as enacted, or in committee, if any. (Bylaws Article III Section 1.13.5. c)
    - i) H3195 Act relative to managers attending Town Meetings (2014 ATM Article 14)
    - ii) Bill relating to funding for vocational school education (2015 ATM Article 15 Resolution E)
    - iii) H3868 Fines for failure to relocate or remove utility poles and wires (2015 STM Article 13)
    - iv) H1656 House Court Department (2015 STM Article 20)
    - v) H3935 Increase number of members of the Board of Health from 3-5 (2015 STM Article 24)
  - b) Selectmen appointments that will expire on 6/1/2016 from 20 committees with 76 appointments. (Bylaws Article 1, Section 5.14)
- 8. Report from the Town Moderator on Moderator appointments from 6 committees that have 5 vacancies plus 17 appointments that will expire on 6/30/2016. (Bylaws Article 1, Section 5.14)

And after all requested reports from a town official are given this article shall be disposed.

Pass any vote or take any action relative thereto.

**Sponsor: Rules Committee** 

**April 26, 2106 Voted:** That Town Meeting receive written reports from various departments, boards, committees and commissions listed in this warrant article.



### ARTICLE 3

To see if the Town will vote to authorize the Board of Selectmen to accept and expend funds in accordance with the provisions of Title I of the Housing and Community Development Act of 1974, as amended, and regulations promulgated thereunder by the U. S. Department of Housing and Urban Development.

Pass any vote or take any action relative thereto.

**Sponsor: Board of Selectmen** 

**April 26, 2016 Voted:** That the Board of Selectmen be authorized to accept and expend funds in accordance with the provisions of Title I of the Housing and Community Development Act of 1974, as amended, and regulations promulgated thereunder by the U.S. Department of Housing and Urban Development, and in accordance with the "Proposed Statement of Community Development Objectives and Projected Use of Funds" that includes reprogrammed 2016 allocations approved by the Board of Selectmen on February 23, 2016. Said projected use of funds is shown on the attached pages as it appears in the warrant book.



### **ARTICLE 3 ATTACHMENT**

#### **RECOMMENDED USES OF FISCAL 2017 CDBG FUNDS**

1.0	ADMINIS	STRATION/PLANNING	\$106,546.00*
2.0	HOUSING	G REHABILITATION	\$227,103.00
	2.1	Housing Rehabilitation Sponsor: Community and Economic Development	\$164,103.00
	2.2	Code Enforcement Sponsor: Building & Inspectional Services	\$63,000.00
	2.3	Reprogrammed From FY16 Sign & Façade Funds for Housing Rehab Sponsor: Framingham Community Development Department	\$35,500.00**
3.0	PUBLIC I	FACILITIES IMPROVEMENTS	\$49,920.00
	3.1 Sponsor:	Butterworth Park Entrance Architectural Barrier Removal Framingham Parks and Recreation	\$8,000.00
	3.2	Farm Pond Skate Park Construction	\$31,920.00
	3.3	Framingham Parks and Recreation Basketball Court Construction Hoops and Homework/Cochituate Homes Cooperative	\$10,000.00
4.0	PUBLIC S	SERVICES	\$79,909.00***
	4.1	Literacy Unlimited Sponsor: Framingham Public Library	\$11,875.00
	4.2	Framingham Adult ESL Plus Sponsor: Framingham Adult ESL Program	\$20,247.00
	4.3	Community Connections Summer Work Program Sponsor: Framingham Coalition Community Connections	\$24,220.00
	4.4	Pearl Street Cupboard Café Sponsor: United Way of Tri County	\$3,235.00
	4.5	Healthy Options for Progress through Education (H.O.P.E.)  Sponsor: Pelham Apartments Residential Services	\$8,908.00
	4.6	Hoops & Homework Sponsor: Hoops & Homework	\$4,954.00
	4.7	English as a Second Language Classes Sponsor: Brazilian American Center Adult ESL Program	\$3,235.00
	4.8	Mazie Mentoring Program Sponsor: Mazie Mentoring Program	\$3,235.00
5.0	DOWNTO	DWN IMPROVEMENTS	\$69,253.00
	5.1	South Framingham Main Streets Program Sponsor: Framingham Downtown Renaissance	\$58,000.00
	5.2	Downtown Commercial Sign & Façade Program	\$11,253.00

Sponsor: Framingham Downtown Renaissance



#### TOTALS \$532,731.00

- \* Administration: The maximum amount of funds that may be budgeted to Administration is <u>\$106,546\*</u>, 20% of the sum of the entitlement grant plus estimated program income realized in the program year.
- \*\* Reprogrammed funds not reflected in total tally because they are an FY16 expense. The rest of the budget reflects fiscal year 2017 entitlement allocation. The \$532,731 does not include these reprogrammed funds.
- \*\*\* Public Services: The maximum amount of funds that may be budgeted to public services is 15% of the sum of the entitlement grant plus program income realized in the prior program year.

#### FISCAL 2017 CDBG PROJECT BACKGROUND

### 1.0 ADMINISTRATION & PLANNING

• <u>Goal</u>: To administer the CDBG program effectively and equitably and to ensure that all members of the community can participate in or benefit from program activities.

#### 1.1 CDBG PROGRAM ADMINISTRATION

\$106,546

SPONSOR: Framingham Community Development Department

Sources of funds: CDBG Entitlement Grant:

\$106,546

Funds for the administration and planning costs of the CDBG program. No more than 20% of the grant allocation and program income earned can be allocated for administration.

#### 2.0 HOUSING REHABILITATION

• <u>Goal</u>: To arrest deterioration in the existing housing stock and to stabilize neighborhoods through ongoing financial and technical housing rehabilitation assistance to property owners.

#### 2.1 HOUSING REHABILITATION ASSISTANCE PROGRAM (HRAP) \$164,103

SPONSOR: Framingham Community Development Department

Sources of funds: CDBG Entitlement Grant: \$106,103

Program Income: \$30,000

Project Delivery Costs: \$28,000

In Fiscal 2016 HRAP will provide deferred, no-interest loans to repair code violations, improve energy efficiency and enhance ADA-accessibility in 2-4 owner-occupied homes with lower-income owners, and, if possible, 1 to 2 rental units occupied by lower-income tenants. Both CDBG



and HOME funds will be used for loan capital. CDBG & HOME funds will be loaned to eligible owners, in any area of Town, to address emergency repair needs, such as heating system and roofing repairs. Rehabilitation funds will be loaned to eligible homeowners and multi-family residences in low-income target neighborhoods to fix housing code violations and to improve exterior appearances. CDBG monies will also pay for the program delivery costs for the CDBG & HOME funded HRAP Program. Included in this amount is housing delivery cost expenses to pay rehabilitation specialist consultant invoices, liens, inspections and associated fees. **PERFORMANCE TARGET: 3-6 Dwelling Units; very low, low & moderate-income clientele** 

#### 2.2 NEIGHBORHOOD STABILIZATION/CODE ENFORCEMENT \$63,000

SPONSOR: Framingham Inspectional Services Division

Sources of funds: CDBG Entitlement Grant: \$63,000

The Town will use CDBG funds to pay for housing inspections in targeted low/moderate-income (LM) neighborhoods. Housing code violations will be required to be corrected by the property owners, in partnership with the Housing Rehabilitation Assistance Program (HRAP) where possible. This program works in coordination with the Code Enforcement Task Force, an inter-department team who conducts monthly site visits of the neighborhoods to develop solutions and improvements from a holistic, inter-disciplinary approach. PERFORMANCE TARGET: 400 – 500 inspections in LM areas.

### 3.0 PUBLIC IMPROVEMENTS

• Goals: To improve infrastructure that will prolong the useful life of public facilities; and to remove architectural barriers to improve access to public and private facilities.

#### 3.1 Butterworth Park Entrance Architectural Barrier Removal

SPONSOR: Framingham Parks & Recreation Division

Sources of funds: CDBG Entitlement Grant: \$8,000

The Parks, Recreation & Cultural Affairs Division is proposing removal of an architectural access barrier at Butterworth Park. This public facilities improvement project consists of removing severe accessibility deficiencies along the Grant Street entrance to Butterworth Park. To accomplish this, the project will consist of removal of



the current tube gate, replacing it with a formalized accessible entranceway along the current wooden guardrail fencing; readjusting current sidewalk curb cuts to allow the continuation of the sidewalk along Grant Street, placing new curb cuts in this area that will lead pedestrians into the current crosswalk that connects sidewalks along each side of Grant Street to each other, ultimately flowing into a newly formalized accessible entranceways; and returning portions of the sidewalk and entrance way to green space that will give a welcoming feeling to park visitors. **PERFORMANCE TARGET: 1 ADA public facility serving LM area.** 

#### 3.2 Farm Pond Skate Park Construction

SPONSOR: Framingham Parks & Recreation Division

Sources of funds: CDBG Entitlement Grant: \$31,920

The Parks, Recreation & Cultural Affairs Division is proposing the construction of a skatepark at Farm Pond. This public facilities improvement project consists of the creation of Framingham's first skatepark. During 2015's Annual Spring Town Meeting, funding was approved for the design and site selection for Framingham's first skatepark. Along with allocating funds for design, Town Meeting also approved the creation of a Skatepark Advisory Committee (SAC) that was tasked with hiring a design and selecting a final location for a skatepark to be located. PERFORMANCE TARGET: low and moderate income residents.

#### 3.3 Basketball Court Construction

SPONSOR: Hoops and Homework/Cochituate Homes Cooperative

Sources of funds: CDBG Entitlement Grant: \$10,000

This project proposes to construct a multi-purpose court with two basketball hoops. Hoops and Homework is an organization that ensures children have access to academically enriching activities, helping close the opportunity gap between higher-income and lower-income families. Cochituate Homes Cooperative was developed and operates with fedral housing financing. It receives federal funding from HUD through project based section 8 vouchers, which makes rent affordable to lower income tenants. The initiative is being funded on a conditional basis, providing that the sponsoring agencies fulfill the administrative and legal requirements of carrying out this public improvement project by March 1, 2017. If terms are not met by that date, project funds will be re-programmed for other use. **PERFORMANCE TARGET: 100% low- and moderate-income residents**.



#### 4.0 PUBLIC SERVICES

• <u>Goal</u>: To improve the quality of life for low and very low income residents of the Town through the provision of public services.

#### 4.1 LITERACY UNLIMITED PROGRAM

\$11,875

SPONSOR: Framingham Public Library

Sources of funds: CDBG Entitlement Grant: \$11,875

Partial funding to continue the work of an adult literacy training program which features trained volunteer tutors who teach basic reading, writing, and computational skills, to illiterate and learning disabled adults on a one-to-one basis and in groups. The range of activities include classroom training of tutors, one-to-one tutoring, tutoring in conversational English to limited English speakers, counseling, job development, General Equivalency Diploma (GED) preparation and materials, and maintenance of student and tutor support networks. CDBG funds support the administrative staff to recruit and train volunteer tutors. The program will evaluate students initially and on an on-going basis, develop a learning plan for each low level literacy student, and provide guidance to tutors as they work with these students. **PERFORMANCE TARGET: Up to 200 very low, low & moderate-income clients.** 

#### 4.2 FRAMINGHAM ADULT ESL PLUS PROJECT

\$20,247.70

SPONSOR: Framingham Adult ESL Program

Sources of funds: CDBG Entitlement Grant: \$20,247.70

Partial funding is sought to provide free English-as-a-Second Language classes, training, and development to adult (ages 18 - 85) limited-English speakers to facilitate their integration into the community, prepare them for their GED, Citizenship Preparation classes, the job market, customs, culture and the law. Funds will meet the cost of instructors and counseling support for three full capacity classes of instruction for two semesters operated during the evening hours. **PERFORMANCE TARGET: Up to 60 very low, low & moderate-income clients.** 

#### 4.3 COMMUNITY CONNECTIONS SUMMER WORK PROGRAM

\$24,220.00

SPONSOR: Community Connections/Framingham Coalition

Sources of funds: CDBG Entitlement Grant: \$24,220.00

Funding is being requested to provide a youth summer work program to employ a total of 30 teens (ages 14 to 17) that live in low socioeconomic Framingham neighborhoods. The program will operate during the summer months in which teens will learn responsibility and investment



in their community by implementing appropriate landscaping, general clean up, painting, maintenance skills, and teamwork. Because this will be a first job for most, teens will also learn the interview process and how to complete a job application. These sessions are supervised (onsite) by adults who have numerous years of experience working with youth in both school and community settings. The program will involve orientation and participation in enrichment sessions on safety and health issues. PERFORMANCE TARGET: Up to 40 very low, low & moderate-income clients.

#### 4.4 BRACE Adult ESL Program

\$3,235.00

SPONSOR: Brazilian American Center

Sources of funds: CDBG Entitlement Grant: \$3,235.00

BRACE requests funds to add four class sessions, employ two part-time teachers and create a financial aid and scholarship program based on need and merit. The Brazilian American Center has the mission of integrating the large immigrant population of the Framingham area into mainstream American culture. Its ESL program has a goal of promoting the English language, as well as customs, traditions and history of the United States. Its programs are aimed at easing the adaptation and integration of the immigrant population into American society, preparing the students for employment interviews, job-related conversation, immigration and naturalization specialized programs and understanding of greater American culture and customs. PERFORMANCE TARGET: 160 low & moderate-income clients.

#### 4.5 H.O.P.E. (HEALTHY OPTIONS FOR PROGRESS THROUGH EDUCATION) \$8,908.00

SPONSOR: Pelham II Corporation

Sources of funds: CDBG Entitlement Grant: \$8,908.00

H.O.P.E. is requesting funding for their on-site community-based program, which is geared toward 14-21 year old youth residing at the Pelham Apartments. H.O.P.E. provides access to computer technology that supports academic success and obtaining better jobs. H.O.P.E. provides one-on-one mentoring, community engagement, healthcare information, and other social services. Monthly field trips to educational, cultural, and scientific institutions will also be organized. The proposed program will be conducted during the evening hours of 5:30—8:30 p.m. A family night will be offered once per month where student progress will be reported to the parent or legal guardian. The funds will directly pay the part-time bilingual program coordinator, program supplies, and costs associated with weekly programs and instructions and related materials. PERFORMANCE TARGET: Up to 40 very low, low & moderate-income clients.



#### 4.6 HOOPS & HOMEWORK

\$4.954.00

SPONSOR: Hoops and Homework

Sources of funds: CDBG Entitlement Grant:

\$4,954.00

Hoops & Homework is requesting funding for an educational and recreational after- school program for school age children located at the Carlson and Pusan Roads Community Rooms. Homework assistance, snack, on-site tutoring and recreational activities will be included.

PERFORMANCE TARGET: Up to 50 very low, low & moderate-income clients.

#### 4.7 Mazie Mentoring, Framingham Program

\$3,235.00

SPONSOR: Mazie Mentoring

Sources of funds: CDBG Entitlement Grant:

\$3,235.00

Mazie requests funds for its mentoring program held at Framingham High School for at-risk teens. The Mazie Mentoring Program has a 17-year history of transforming Framingham high school students identified of being at risk of not graduating and or advancing into higher education. To date Mazie has served 580 personally challenged students from Framingham, who have graduated from its mentoring program goal oriented with exceptional graduation rates and personal achievement outcomes. Performance Target: 77 low and moderate income clients.

#### 4.8 Pearl Street Cupboard and Café

\$3,235.00

SPONSOR: United Way of Tri County

Sources of funds:CDBG Entitlement Grant:

\$3,235.00

The Pearl Street Cupboard and Café requests funds to provide hunger relief, improve quality of life and connect families and individuals in need to essential services and resources in Framingham. In 2014, the Cupboard served 4,889 unduplicated clients through 18,896 visits. In an average month, it provided groceries to 683 families consisting of 1,044 adults, 646 children and 2019 seniors, totaling 1,899 individuals; 36% of clients were new. The Cupboard provides hot meals two nights each week and serves an average of 1,600 meals each month.

PERFORMANCE TARGET: 5,000 low and moderate income clients.

5.0 DOWNTOWN IMPROVEMENTS



<u>Goal</u>: To improve the quality of life for low and moderate-income people by improving economic conditions for small businesses in the Downtown Commercial Target area that serve local residents.

#### 5.1 SOUTH FRAMINGHAM MAIN STREETS PROGRAM

\$58,000.00

SPONSOR: Framingham Downtown Renaissance (F.D.R.)

Sources of funds: CDBG Entitlement Grant:

\$58,000.00

F.D.R. seeks funding a for a "Main Streets" program for the Town's Downtown Commercial Target business district and surrounding residential neighborhoods, where 66% of residents have low or moderate-incomes. Funds will pay for staff who will promote the area's economic development by providing marketing or other technical assistance to firms that serve neighborhood residents as well as small businesses owned by low or moderate-income people, hold community events, assist new businesses, and serve as liaison and support during the Downtown redesign and reconstruction project. PERFORMANCE TARGET: Up to 200 small, local businesses that serve clientele from LM areas and eight marketing events.

#### 5.2 DOWNTOWN COMMERCIAL SIGN AND FAÇADE PROGRAM

\$11,253.00

SPONSOR: Framingham Community Development Department

Sources of funds: CDBG Entitlement Grant:

\$11,253.00

Funding is requested to provide capital for partial rebates to help small businesses located in the Framingham Downtown Commercial District to install new signage and improve building facades. PERFORMANCE TARGET: 3-5 grants to improve storefronts in the Downtown Commercial Target District.

CDBG GRAND TOTAL, Fiscal 2017: \$511,335

#### PROPOSED USES OF FISCAL 2017 HOME FUNDS

1.0 Funds Available for Housing Programs and Projects \$153,656.00 (First-Time Home Buyers Program, Tenant Base Rental Assistance, Housing Development Projects)

Sponsor: Community Development Department

2.0 Home Program Administration

Sponsor: Community Development Department

\$15,365.00



3.0 CHDO Development Set-aside \$32,926.00

4.0 CHDO Operations Set-aside \$10,975.00

TOTALS: \$212,922

#### FY16 Reprogrammed Funding

#### **CDBG**

\$21,000 in wayfinding and commercial sign and façade program funds to housing rehab in FY17
\$14,500 in transfers from computer supplies, maintenance, consultant and postage line items to rehab

#### **HOME**

Option 1: \$50,000 in FY15 funds allocated to Tribune Apartments

\$129,022.89 in outstanding program income to Tribune Apartments

Option 2: \$157,141.82 of FY16 allocation to Framingham Housing Authority for purchase, rehabilitation and resell of blighted homes as affordable housing.

Option 3: If Tribune Apartment's developer/owner Preservation of Affordable Housing cannot secure funding from other sources to move ahead with allocations, its \$179,022.89 portion will be transferred to FHA for housing rehabilitation projects.



#### **ARTICLE 3 ADDITIONAL MOTIONS/AMENDMENTS**

**April 26, 2016 Passed:** I move that \$10,000 of CDBG funds be removed from Basketball Construction and added to Farm Pond Skate Park Construction, bringing the skate park total to \$41,920.

Harold Geller, Precinct 2 Standing Committee of Ways and Means Chair

**April 26, 2016 Failed:** I move that the Town deny funding to all Adult English as a Second Language (ESL) programs being subsidized by HUD CDBG money, which is specified in section 4.0 Public services of the CDBG budget request for their lack of oversight and verification of who can legally partake of their programs. The money from the reclaimed 35,357.00 is to be divided up equally and sent to the remaining programs in section 4.0. That would be an extra 7071.40 for each of the remaining programs five programs.

- 4.3 Framingham Coalition Community Connections
- 4.4 Pearl Street Cupboard
- 4.5 Healthy Options
- 4.6 Hoops and Homework
- 4.8 Maize Mentoring
- 2) Furthermore, we Framingham Town Meeting Members also require that the legal status of any and all participants in said Adult ESL programs be verified as to their Framingham residency and their legal immigration status before any funds in the future are to be allocated to any of the Framingham Adult School or Town sponsored ESL programs. Since this procedure has not been accomplished in the past, the participants of undetermined status have failed to meet the requirements for this funding. I propose that they and and all other town sponsored Adult ESL programs be denied receipt of said funds for the rest of 2016 and 2017 and then indefinitely, if residency and legal immigration status is not met and verified from a bonafide govt. based program and that these most-needed funds be reallocated to other much-needed programs in town.

Jim Rizoli, Precinct 14



### **ARTICLE 4**

To see if the town will vote to authorize payments of unpaid bills of prior years of the Town to be paid from the Fiscal Year 2016 departmental budgets in which they were incurred.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

**April 26, 2016 Voted:** That Town Meeting authorize payment of the following unpaid bills of prior years of the Town. These bills are to be paid from the FY2016 departmental budget in which they were incurred.

Department of Public Works	Yourmembership.com	\$165.00
Department of Public Works	Yourmembership.com	\$165.00
School Department	Coach Brian Donahue	\$56.00
School Department	Coach Robert Wilson	\$56.00
School Department	Coach Scott Kirby	\$112.00
School Department	MASBO, Inc.	\$29.00
School Department	<b>Employment Practices Group</b>	\$15,867.50

125 voting in favor, 2 opposed, 0 abstentions.



### ARTICLE 5

To see if the Town will vote to authorize or re-authorize several revolving funds as defined by General Laws Chapter 44, Section 53 E  $\frac{1}{2}$  for Fiscal Year 2017 beginning July 1, 2016.

**Sponsor: Chief Financial Officer** 

**April 26, 2016 Voted:** That Town Meeting authorize or re-authorize several revolving funds as defined by MGL, Ch. 44, Section 53E ½ for FY17 beginning July 1, 2016, including, but not limited to the following:

<u>Fund</u>	<u>Manager</u>	<u>Purpose</u>	FY17 Spending Ceiling	Disposition of FY16 Fund Balance
Town Owned Building/Civic Use Fund - Danforth and Memorial Buildings	Facilities Management Department of the General Government Division	To receive funds from rental fees and other similar charges for the use of the Danforth and Memorial Buildings and to authorize the Facilities Management Department to spend these funds for direct expenses associated with the general maintenance of these buildings such as custodial costs, utilities, maintenance supplies and other similar expenses.	\$90,000	Balance available for expenditure
Town Owned Building/Civic Use Fund - Cushing Chapel	Facilities Management Department of the General Government Division	To receive funds from rental fees and other similar charges for the use of Cushing Chapel and to authorize the Facilities Management Department to spend these funds for direct expenses associated with the general maintenance of these buildings such as custodial costs, utilities, maintenance supplies and other similar expenses.	\$20,000	Balance available for expenditure
Concerts on the Common	Park and Recreation Department of the Park and Recreation Division	To receive funds from the sale of food and other similar charges during Concerts on the Common and to authorize the Park and Recreation Department to spend these funds for direct expenses associated with the sale of food and other concert-related charges such as staff costs, utilities, maintenance supplies and other similar expenses.	\$4,000	Balance available for expenditure
School Bus Fees	Framingham School Committee of the School Department	To receive and spend funds for direct expenses associated with the transportation of students to and from school.	\$380,000	Balance available for expenditure



Town Wetland Protection Fund	Conservation Commission of the Public Works Division	To receive fees and spend funds to pay for services associated with processing Permits and Requests for Determination.	\$28,000	Balance available for expenditure
Excavation Management Fund	Public Works Division	To account for revenue from fees collected for Street Opening Permits and the Excavation Management program for the administrative and operational costs associated with the management of this program.	\$85,000	Balance available for expenditure
Housing Pre- Inspection Program Fund	Department of Public Health	To use funds secured from rental inspections, housing application fees and re-inspection fees for the implementation of the housing pre-inspection program. The funds will be used for rental costs, salaries for administrative and field staff, printing costs, and the purchase of supplies and equipment.	\$50,000	Balance available for expenditure
Vaccine Administration Fund	Department of Public Health	To use funds secured from reimbursements for vaccine administration to citizens. The funds will be used to buy additional vaccines and supplies to expand the program including but not limited to the purchase of flu vaccine for town employees.	\$27,000	Balance available for expenditure
Fluorescent Lamp/Mercury Recycling	Public Works Division	To use revenue secured from fees collected for the disposal of Fluorescent lamps, compact fluorescents and other mercury containing items like thermometers, thermostats and button-cell batteries to offset the costs of disposal.	\$5,000	Balance available for expenditure
Town Records Preservation	Town Clerk of the Elected Boards Division	To use funds secured from vital records charges to preserve deteriorating records of the Town of Framingham. A specific charge of \$2 per record is collected and will be deposited in this fund to be used for any costs related to record preservation.	\$80,000	Balance available for expenditure



Callahan Senior Center Fund	Council on Aging of the Parks Division	To use fees and revenues received from building rental, programming, and general services. The funds will be expended to cover associated costs and expenses of those services and for the advancement of Council on Aging's established mission statement.	\$40,000	Balance available for expenditure
Emergency Management Equipment Fund	Framingham Emergency Management Agency of the Police Division	To collect and expend fees assessed to NERAC (Northeast Regional Advisory Council for Homeland Security) communities for the use of centrally housed equipment for emergent situations and provide upkeep and maintenance on the equipment in the cache.	\$15,000	Balance available for expenditure
Animal Control Fund	Animal Control Department of the Police Division	To use fees collected from boarding and kennel rentals for the purpose of offsetting kennel operating costs.	\$4,500	Balance available for expenditure
Blighted Property Fund	Building Inspection Department of the Inspectional Services Division	To account for revenue from fees generated by the foreclosed property registration bylaw and municipal lien bylaw. Expenditures may be made for the administrative and operational costs associated with making distressed properties safe by demolishing, boarding-up, cleaning up, or securing from unauthorized intruders.	\$10,000	Balance available for expenditure
Cochituate Rail Trail Fund	Public Works Division	To receive funds from abutters of the Cochituate Rail Trail to be used for operating costs of maintenance and upkeep of the Cochituate Rail Trail.	\$6,000	Balance available for expenditure
Public Health Education & Training Fund	Department of Public Health	To receive fees and spend funds to pay for services associated with providing public health education and training courses and any related expenses.	10,000	



### ARTICLE 6

To see if the Town will vote to determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operations of the Town of Framingham, including debt and interest for Fiscal Year 2016 (July 1, 2015 – June 30, 2016) and to see what budgets for Fiscal Year 2016 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

**April 26, 2016 Voted:** That the following FY2016 budget adjustments be made:

Transfer		<u>To</u>	<u>From</u>
Town Clerk Stipend Adjustment for FY16		\$2,848	
Elections Operating Police Details			\$2,848
Retirement – Medicare/FICA		\$150,000	
Miscellaneous/Unclassified - Unemployment			\$150,000
	TOTAL	\$152,848	\$152,848



### ARTICLE 7

To see if the Town will vote to determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operations of the Sewer Department, including debt and interest for Fiscal Year 2016 (July 1, 2015 – June 30, 2016) and to see what budgets for Fiscal Year 2016 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

April 26, 2016 Voted: That Article 7 be withdrawn with concurrence of the Sponsor.



### ARTICLE 8

To see if the Town will vote to determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operations of the Water Department, including debt and interest for Fiscal Year 2016 (July 1, 2015 – June 30, 2016) and to see what budgets for Fiscal Year 2016 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

April 26, 2016 Voted: That Article 8 be withdrawn with concurrence of the Sponsor.



### ARTICLE 9

To see if the Town will vote to appropriate a sum or sums of money for off-site mitigation improvements or as otherwise agreed upon by the Town of Framingham Planning Board and Project Applicant(s) pursuant to recorded Planning Board decision(s) to be managed by the Town Manager or designee in consultation with the Planning Board and consistent with said decision(s).

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

April 26, 2016 Voted: That Article 9 be withdrawn with concurrence of the Sponsor.



### ARTICLE 10

To see if the Town will vote to rescind various authorized, but unissued borrowing votes of the Town.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

**April 26, 2016 Voted:** That the following various authorized, but unissued borrowing votes of the Town be rescinded:

TOWN MEETING	PROJECT #	ARTICLE	AMOUNT TO BE RESCINDED
May 2013	32306	A18E Protective Clothing Replacement - Fire	\$56
May 2013	32313	A18L Cushing Park Phase 5 - Parks	\$400,000
May 2013	32321	A18T Sidewalk Tractor #463 – Public Works	\$6,100
May 2013	32356	A20B Trailer Generators – Sewer Dept.	\$4,880
May 2014	32403	A16C Pick-up Signal Division – Fire	\$558
May 2014	32408	A16H F350 4x4 Crew Cab Pickup Truck - Parks	\$1,955
May 2014	32409	A16I F350 4x4 Regular Cab Pickup Truck - Parks	\$1,760
May 2014	32419	A16S Mounted Snow Blower #451A – Public Works	\$20
May 2014	32440	A16AN Rack Truck w/ Lift Gate – School	\$122
May 2014	32442	A16AP Utility Body Truck - School	\$37
May 2014	32449	A17A 11K Service Body Truck #614 – Water Dept.	\$313
May 2014	32451	A17C11K Service Body Truck #601 - Water Dept.	\$313
May 2014	32452	A17D Mini Excavator #650 – Water Dept.	\$200
May 2014	32462	A18A 11K Service Body Truck #772 – Sewer Dept.	\$760
May 2014	32463	A18B 60K Flusher Truck #740 – Sewer Dept.	\$1,966



### **ARTICLE 11**

To see if the Town will vote to fund any collective bargaining agreements that have been settled, and adopt any necessary changes to the Compensation Schedules.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer / Human Resources** 

**April 26, 2016 Voted:** That the Town approve the Collective Bargaining Agreement that has been settled with the Framingham Police Union effective FY2016 and the corresponding Salary Schedules as attached.



### **ARTICLE 11 ATTACHMENT**

# Police Officers Union 474 July 1, 2015 - June 30, 2016

**Effective COLA 1.5%** 

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
POLI	48,530	52,251	53,854	55,451	56,863	58,281	59,450	60,640	61,852	63,088



### **ARTICLE 12**

To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide \$131,500 to fund the economic development activities of the Framingham Economic Development Industrial Corporation (EDIC).

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

**April 26, 2016 Voted as amended:** That the Town raise and appropriate, transfer from available funds or otherwise provide \$96,500 to fund the economic development activities of the Framingham Economic Development Industrial Corporation (EDIC).



#### **ARTICLE 12 ADDITIONAL MOTIONS/AMENDMENTS**

**April 26, 2016 Original motion not voted on due to passed amendment:** I move that Town Meeting vote to raise and appropriate, transfer from available funds or otherwise provide \$131,500 to fund the economic development activities of the Framingham Economic Development Industrial Corporation (EDIC).

Mary Ellen Kelley, Chief Financial Officer

**April 26, 2016 Passed:** I move that the appropriation of \$131,500 be reduced by the amount of \$35,000 requested for Mt. Wayte, resulting in a revised appropriation of \$96,500.

Harold Geller, Precinct 2 Standing Committee on Ways and Means Chair



### ARTICLE 13

To see if the Town will vote to authorize the Board of Selectmen to enter into a five year lease for the purpose of technology upgrades and improvements.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

**April 27, 2016 Voted:** That the Selectmen be authorized to enter into a five year lease for the purpose of procuring Town technology upgrades and improvements and to appropriate \$250,000 to fund year one of the lease.



### ARTICLE 14

To see if the Town will vote to approve the merger of the Water & Sewer Enterprise Funds into a single Utility Enterprise Fund.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

**April 26, 2016 Voted:** That Town Meeting amend its vote of May 20, 1993, accepting the provisions of Chapter 44, Section 53F ½, establishing separate Enterprise Funds for the "Water Division" and "Sewer Division", by combining the separate funds into one Utility Enterprise Fund effective July 1, 2016.



#### **ARTICLE 15**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for various capital projects including purchase of equipment, purchase of land, repair, rehabilitation, design or construction of buildings and infrastructure, including any related engineering, personnel and legal services, and the acquisition of any necessary permanent and/or temporary easements or other interests in land for said projects.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

May 11, 2016 Voted as amended: That the Town raise and appropriate, transfer from available funds or borrow the sum of \$12,444,608 for the projects listed below, to be spent under the direction of the Town Manager or his designee, with the exception of items proposed by the School Department, which will be spent under the direction of the School Superintendent or his designee, and further, that the Town Manager or School Superintendent shall be allowed to exceed the appropriation for individual capital projects to be spent under his direction as long as the total amount to be spent does not exceed the total amount appropriated and that such adjustments are in compliance with MGL, Chapter 44 for the purpose of the design and construction, including any related engineering, personnel and legal services;

				Passed with a
A15A	Fire Station 5	Facilities Management	\$555,292	2/3 vote
				Passed with a
A15B	Police Headquarters	Facilities Management	\$413,749	2/3 vote
	Memorial Building Exterior/Roof/Code Compliance			Passed with a
A15C	Design	Facilities Management	\$482,000	2/3 vote
				Passed with a
A15D	Cruiser Laptop/Keystone Capital	Police	\$325,687	2/3 vote
				Passed with a
A15E	Replace Platform 1	Fire	\$1,203,715	2/3 vote
	Annual Drainage System & Water Quality			Passed with a
A15F	Improvements	DWP - Engineering	\$250,000	2/3 vote
				Passed with a
A15G	Main Street Retaining Wall	DWP - Engineering	\$320,000	2/3 vote
				Passed with a
A15H	Saxonville Levee Improvements 2017	DWP - Engineering	\$65,000	2/3 vote
	Replacement 15,000 GVW 4WD Cab and Chassis w/			Passed with a
A15I	Dump Body & Plow #413	DPW - Highway	\$80,550	2/3 vote
				Passed with a
A15J	Replacement Sidewalk Tractor – Tracked #460	DPW - Highway	\$176,641	2/3 vote



A15K	Replacement 10,000 GVW 4WD Cab and Chassis w/ Utility Body & Plow # 405	DPW - Highway	\$49,233	Passed with a 2/3 vote
A15L	Annual Roadway Improvements	DPW - Highway	\$4,200,000	Passed with a 2/3 vote
A15M	Replacement 15,000 GVW 4WD Cab and Chassis w/ Dump Body & Plow #412	DPW - Highway	\$80,550	Passed with a 2/3 vote
A15N	Replacement 10,000 GVW 4WD Pick-Up Truck w/ Plow #502	DPW - Sanitation	\$49,233	Passed with a 2/3 vote
A15O	Replacement 10,000 GVW 4WD Pick-Up Truck with Plow #51	DPW - Sanitation	\$49,233	Passed with a 2/3 vote
A15P	Cemetery Tomb Repairs Phase 2 - Old South Burial Grounds	Cemeteries	\$95,925	Passed with a 2/3 vote
A15Q	Bowditch Track Refurbishment	Park & Recreation	\$112,200	Passed with a 2/3 vote
A15R	F550 4x4 Crew Cab Dump 18,000 GVW	Park & Recreation	\$75,600	Passed with a 2/3 vote
A15S	F550 4x4 Trash Compactor	Park & Recreation	\$103,000	Passed with a 2/3 vote
A15T	Skate Park Construction	Park & Recreation	\$400,000 amended on 5/10/16 to \$500,000	Passed with a 2/3 vote
A15U	Structural Shoring at Fuller	School Department	\$100,000	Passed with a 2/3 vote
A15V	B & G Truck-Vehicle Replacement-Buildings & Grounds Department	School Department	\$40,000	Passed with a 2/3 vote
A15W	Cube Truck – Vehicle Replacement - Food Services Department	School Department	\$50,000	Passed with a 2/3 vote
A15X	Clock System MEPS-All Schools-Multiple Systems- Phased Project FY17	School Department	\$50,000	Passed with a 2/3 vote
A15Y	Technology Upgrades Throughout the District - FY17	School Department	\$1,000,000	Passed with a 2/3 vote
A15Z	Asbestos Abatement-Replace Floor Tiles, Ceiling Tiles, Pipe Insulation-King School	School Department	\$225,000	Passed with a 2/3 vote
A15AA	Fire Alarm Upgrades - King Schools	School Department	\$115,000	Passed with a 2/3 vote
A15AB	Paving Replacement/Storm Water/Field and Site Work - Stapleton FY17	School Department	\$1,400,000	Passed with a 2/3 vote
A15AC	HVAC - Design Only	School Department	\$90,000	Passed with a 2/3 vote
A15AD	Archived Document Scanning – Phase V	Technology Services	\$187,000	Passed with a 2/3 vote



### **ARTICLE 15 (CONTINUED)**

And, that Project A15AD Archived Document Scanning – Phase V be funded from free cash;

And further, that the Board of Selectmen be authorized to acquire by gift, purchase or eminent domain, permanent easements and temporary construction easements or other interests in land for said projects, and further, that the Board of Selectmen be authorized to take all actions necessary to carry out the purposes of this article.

And, provided that the total appropriation in item number A15T be for Design and Construction of a Skatepark at Farm Pond Park, on dedicated park land as identified by MGL, c. 45, s. 14, under the care and control of the Park Commission, and that the Parks Commission be authorized to seek any reimbursement from the Commonwealth's Division of Conservation Services' Parkland Acquisitions and Renovations for Communities (PARC) grant program or any other applicable state agency or program for costs associated with said amount and to file on behalf of the Town and all applications and to enter into any contracts necessary thereto, and that should any additional funds become available in connection with this project, including, but not limited to, mitigation, grant funds, and private donations, said sums shall be used to offset and/or defray the amounts to be borrowed to finance this project.

And, further, that the Treasurer be authorized, with the approval of the Board of Selectmen, to issue from time to time bonds or notes in the amount of \$12,257,608 pursuant to the provisions of MGL, Chapter 44, Section 7 and 8 or any other enabling authority.

109 voting in favor, 6 opposed, 0 abstentions.



#### **ARTICLE 15 ADDITIONAL MOTIONS/AMENDMENTS**

May 11, 2016 Failed: (Reconsideration) I move to refer 15C back to Sponsor.

- a. The report of select committee said to demolish building new info. not disclosed
- b. Confusion among T members about referring back

Gloria Geller, Precinct 2

**May 10, 2016 Passed:** I move to amend Article 15T of the General Fund Capital Budget for Skatepark Construction from \$400,000 to \$500,000.

**Judith Grove, Precinct 15** 



#### **ARTICLE 16**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for various water/sewer department capital projects including purchase of equipment, purchase of land, repair, rehabilitation, design or construction of buildings and infrastructure, including any related engineering, personnel and legal services, and the acquisition of any necessary permanent and/or temporary easements or other interests in land for said projects.

Pass any vote or take any action relative thereto.

#### **Sponsor: Chief Financial Officer**

**April 27, 2016 Voted:** That the Town raise and appropriate, transfer from available funds, or borrow the sum of \$16,521,180 for the projects listed below, to be spent under the direction of the Town Manager or his designee, and further, that the Town Manager shall be allowed to exceed to appropriation for individual capital projects to be spent under his direction as long as the total amount to be spent does not exceed the total amount appropriated and that such adjustments are in compliance with MGL, Chapter 44, for the purpose of design and construction, including any related engineering, personnel and legal services of the following Water and Sewer Department projects:

A16A	Replacement 10,000 GVW Chassis w/Utility Body and Plow #722	Sewer	\$58,235
A16B	Replacement 15,000 GVW 4WD Cab and Chassis with Dump Body and Plow #726	Sewer	\$80,550
A16C	Replacement 40,000 GVW Cab & Chassis w/Dump Body & Plow #733	Sewer	\$191,225
A16D	Replacement 35,000 GVW Cab and Chassis with Construction Body #744	Sewer	\$209,900
A16E	Water Meter Replacement Phase II	Sewer	\$502,000
A16F	Annual Various Sewer Improvements Project - 2017	Sewer	\$300,000
A16G	Wastewater Pump Station Capital Equipment Replacement - 2017	Sewer	\$400,000
A16H	Fountain Street Sewer Improvements - Phase I (Design)	Sewer	\$400,000
A16I	Sewer System Evaluation Survey Defects Repairs - Phase 1	Sewer	\$2,100,000
A16J	Replacement 40,000 GVW Cab and Chassis with Dump Body & Plow #630	Water	\$210,800
A16K	Replacement 11,000 GVW Cab and Chassis with Utility Body & Plow #616	Water	\$58,235



A16L	Replacement 11,000 GVW 4 WD Cab and Chassis with Service Body and Plow #618	Water	\$58,235
A 16M	Woten Meter Deple coment Phase II	Water	\$502,000
A16M	Water Meter Replacement Phase II	water	\$502,000
A16N	Annual Various Hydrant and Valve Improvements Project - 2017	Water	\$200,000
A16O	Annual Various Water Improvements Project - 2017	Water	\$300,000
A16P	Indian Head Water Tank Replacement - Construction	Water	\$9,980,000
A16Q	Water Master Plan Update	Water	\$420,000
A16R	Fountain Street Water Improvements - Phase I	Water	\$550,000

And further, that the Board of Selectmen be authorized to acquire by gift, purchase, or eminent domain, permanent easements and temporary construction easements or other interests in land for said projects, and further, that the Board of Selectmen be authorized to take all actions necessary to carry out the purposes of this article; and further, that the Treasurer is authorized, with the approval of the Board of Selectmen, to issue from time to time, bonds or notes in the amount of \$16,521,180 pursuant to the provisions of MGL, Chapter 44, Section 7 and 8 or any other enabling authority.

Passed with a 2/3 vote.



#### ARTICLE 17

To see if the Town will vote to act on reports and recommendations of the Selectmen and other officers and committees of the Town and Boards of Trustees and to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the support of the operations of the Town, for a Reserve Fund, for any other purposes included in said reports, for the payment of notes and bonds of the Town, if any, which mature before the next annual meeting, for the payment of pensions and for all other necessary expenses of the Town for the Fiscal Year 2017 (July 1, 2016 – June 30, 2017).

Pass any vote or take any action relative thereto.

#### **Sponsor: Chief Financial Officer**

May 5, 2016 Voted as amended: That the Town hear and act on reports and recommendations of the Selectmen and other officers and committees of the Town and Boards of Trustees, and raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the support of the operations of the Town, for a Reserve Fund, for any other purposes included in said reports, for the payment of notes and bonds of the Town, if any, which mature before the next annual meeting, for the payment of pensions and for all other necessary expenses of the Town for the Fiscal Year 2017 (July 1, 2016 – June 30, 2017).

Unclassified Appropriation	\$35,790,940
Retirement Appropriation	\$13,733,833
Debt Service Appropriation	\$13,839,340
Fire Division	\$14,213,880
Police Division	\$14,367,168
Public Works Division	\$10,647,150
Framingham Public Library	\$3,068,210
Planning Board	\$228,374
Town Clerk Stipend	\$97,033
Town Clerk/Elections Division	\$461,856
General Government Division	\$3,692,030
Parks & Recreation/Cultural Affairs Division	\$3,821,492
Finance Division	\$2,402,170
Public Health Division	\$1,122,466
Inspectional Services Division	\$1,189,860
Community & Economic Development Division	\$515,024
Technology Services Division	\$2,080,807
Human Resources Division	\$1,105,972
	\$120,731.231
Framingham Public Schools	amended on 5/3/16 to \$122,550,690



	\$9,209,446
	amended on 5/3/16 to
Keefe Technical Assessment	\$8,997,424
	\$271,236
	5/4/16 - 91 voting in favor, 7 opposed, 0
Stabilization Fund	abstentions
	\$991,948
	5/5/16 - 103 voting in favor, 2 opposed, 0
Capital Stabilization Fund	abstentions
Reserve Fund	\$400,000
Snow & Ice Appropriation	\$1,645,397
Total Town Meeting Appropriation	\$257,234,300

And to meet said appropriations, the Town approves the following to support the budget:

Transfer from Free Cash	\$5,514,893
Transfer from Parking Meter Receipts	\$50,000
Transfer from Utility Enterprise Fund	\$3,071,894
Transfer from Consumer and Merchant Protection Act Funds	\$15,000
Transfer from PEG Access & Cable Related Fund	\$741,216
Transfer from Overlay Surplus	\$700,000

And the balance to be raised from taxation.

113 voting in favor, 7 opposed, 6 abstentions.



#### **ARTICLE 17 ADDITIONAL MOTIONS/AMENDMENTS**

**April 28, 2016 Failed:** I move that Town Meeting vote to strike the 1.75% tax levy column and replace it with 1.25% tax levy column.

Deborah Butler, Precinct 7		
<b>April 28, 2016 Passed:</b> I move that Town Meeting vote to use the 1.75% Levy Increase Recommended Budget as the reference budget and motion for voting the FY17 General Fund Budget for Article 17 of the 2016 Annual Town Meeting.		
Mary Ellen Kelley, Chief Financial Officer		
<b>April 28, 2016 Failed:</b> I move that Town Meeting vote to approve the \$14,208,205 for the Fire Department.		
Deborah Butler, Precinct 7		
<b>April 28, 2016 Failed:</b> I move that Town Meeting vote to approve the \$13,989,719 line item for the Police Department.		
Deborah Butler, Precinct 7		
<b>April 28, 2016 Failed:</b> I move that Town Meeting vote to approve the \$502,840 line item for the streetlights budget.		
Deborah Butler, Precinct 7		
<b>April 28, 2016 Failed:</b> I move that Town Meeting vote to approve the \$3,684,543 line item for the Highway Department.		
Deborah Butler, Precinct 7		
<b>April 28, 2016 Failed:</b> I move that Town Meeting vote to approve the \$208,044 line item for the Conservation Commission.		
Deborah Butler, Precinct 7		



#### **ARTICLE 17 ADDITIONAL MOTIONS/AMENDMENTS**

**April 28, 2016 Failed:** I move that Town Meeting vote to approve the \$941,963 line item for the Engineering budget.

Deborah Butler, Precinct 7
<b>April 28, 2016 Failed:</b> I move that Town Meeting vote to approve the \$3,319,098 line item for the Sanitation budget.
Deborah Butler, Precinct 7
<b>April 28, 2016 Failed:</b> I move that Town Meeting vote to approve the \$1,150,108 line item for the Flee Facilities and Communications budget.
Deborah Butler, Precinct 7
<b>April 28, 2016 Failed:</b> I move that Town Meeting vote to approve the \$2,210,444 line item for the Facilities Management budget.
Deborah Butler, Precinct 7
<b>May 3, 2016 Failed:</b> On behalf of the Standing Committee on Education, I move to amend the line Framingham School Department to \$124,950,690.
Richard Weader, II, Precinct 4
May 3, 2016 Passed: I move to amend the line Framingham School Department to \$122,550,690.
Richard Weader, II, Precinct 4

**May 3, 2016 Passed:** On behalf of the Standing Committee on Education, I move to amend the line Keefe/Voke Technical Assessment to \$8,997,424.

Richard Weader, II, Precinct 4



#### **ARTICLE 17 ADDITIONAL MOTIONS/AMENDMENTS**

**May 4, 2016 Failed:** I move that Town Meeting vote to approve the \$2,810,496 line item for the Parks and Recreation budget.

May 4, 2016 Failed: I move that Town Meeting vote to approve the \$529,653 line item for the Loring arena budget.
Deborah Butler, Precinct 7
May 4, 2016 Failed: I move that Town Meeting vote to approve the \$671,845 line item for the assessing budget.

**Deborah Butler, Precinct 7** 

**Deborah Butler, Precinct 7** 

May 4, 2016 Failed: I move to not add another full time employee to Media Services.

Jim Pillsbury, Precinct 6

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**May 4, 2016: Failed:** I move that Town Meeting vote to approve the \$1,644,615 line item for the Technology Services budget.

**Deborah Butler, Precinct 7** 

May 4, 2016 Failed: I move that Town Meeting vote to approve the \$553,764 line item for the Veterans Services budget.

**Deborah Butler, Precinct 7** 

May 4, 2016 Failed: I move that the Stabilization Fund of \$271,236 as recommended by the CFO 1.75

Richard Baritz, Precinct 17

Levy budget be changed to \$0.

Richard Buritz, 1 recinet 17



#### **ARTICLE 17 ADDITIONAL MOTIONS/AMENDMENTS**

**May 5, 2016 Failed:** I move that the Capital Stabilization Fund of \$991,948 as recommended by the CFO 1.75 Levy budget be changed to \$0.

Richard Baritz, Precinct 17

\_\_\_\_\_

**May 5, 2016 Failed:** I move that the Reserve Fund of \$400,000 as recommended by the CFO 1.75 Levy budget be lowered to \$150,000.

Richard Baritz, Precinct 17



### **ARTICLE 17 RESOLUTION A**

May 4, 2016 Failed: It is the will of Town Meeting that only government meetings be produced and air on demand and on TV.

Jim Pillsbury, Precinct 6



#### ARTICLE 18

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the operation of the Water & Sewer Departments, including capital outlay and debt service, and for all other necessary expenses for the Fiscal Year 2017 (July 1, 2016 – June 30, 2017).

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

**May 5, 2016 Voted:** That the Town expend \$46,020,292 in FY2017 in the Water and Sewer Departments for the cost of personnel, operating expenses, MWRA Assessment and debt service, under the direction of the Town Manager or his designee.

And, that \$46,020,292 be raised from water and sewer receipts.



### ARTICLE 19

To see if the Town will vote to increase the current \$500 senior exemption to \$1,000, as allowed by state law.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

**April 26, 2016 Voted:** That the Town increase the existing senior property tax exemption authorized under Chapter 59, Section 5, clause 41C, from \$500 to \$1,000, as allowed by Chapter 59, Section 5, clause 41C.



#### ARTICLE 20

To see if the Town will vote to authorize a petition to the legislature to approve a law which creates a local senior tax exemption similar to the Town of Sudbury's program.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

May 5, 2016 Voted: That this article be referred back to Sponsor.



#### **ARTICLE 20 ADDITIONAL MOTIONS/AMENDMENTS**

May 5, 2016 Original motion not voted on due to refer back: I move that Town Meeting vote to authorize a petition to the legislature to approve a law which creates a local senior tax exemption similar to the Town of Sudbury's program.

Mary Ellen Kelley, Chief Financial Officer



#### ARTICLE 21

To see if the Town will vote to appropriate \$1,000,000 which was paid to the Town by the original developer of the Danforth Green housing development in the Saxonville neighborhood of Framingham in exchange for a favorable change in an earlier agreement with the Town. In approving the change and accepting the money there was a sentiment expressed at town meeting that this payment support open space or community preservation project in Saxonville. The proposal is to officially designate this \$1.0 Million to a fund to eventually support the restoration of historic Athenaeum Hall in Saxonville.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

May 5, 2016 Voted: That \$1,000,000 be appropriated from Free Cash to fund the first phase of the repair and renovation of the historic Athenaeum Building in the Saxonville neighborhood of Framingham; said funds to be managed by the Town Manager or his designee.

56 voting in favor, 42 opposed, 8 abstentions.



#### **ARTICLE 21 ADDITIONAL MOTIONS/AMENDMENTS**

May 5, 2016 Failed: Motion to refer back to Sponsor.

Gerald Bloomfield, Precinct 1

May 5, 2016 Failed: I move that Town Meeting vote to appropriate \$1M but not to be spent on Phase I of the Athenaeum Capital Project until the Friends of Saxonville first raise the \$360,000 they pledged to raise for the project.

**Deborah Butler, Precinct 7** 



#### **ARTICLE 22**

To see if the Town will vote to authorize the Board of Selectmen to negotiate, enter into, execute and approve an agreement for the payment in lieu of taxes agreement (PILOT) as authorized by MGL Chapter 59, section 38H, with respect to annual payments in lieu of personal property taxes for a term up to twenty years relative to solar electric generating facilities.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

May 10, 2016 Voted: That the Board of Selectmen be authorized to negotiate, enter into, execute and approve an agreement for the payment in lieu of taxes agreement (PILOT Agreement) as authorized by MGL, Chapter 59, Section 38H, with respect to annual payments in lieu of personal property taxes for a term up to twenty years relative to solar electric generating facilities.



#### ARTICLE 23

To see if the Town will vote to authorize the Board of Selectmen to enter into alternate energy net metering credit purchase agreements, including solar energy and related net electricity metering credits, for a term not to exceed 20 years on such terms and conditions as the Board of Selectmen deem in the best interest of the Town.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

May 10, 2016 Voted: That the Board of Selectmen be authorized to enter into alternate energy net metering credit purchase agreements, including solar energy and related net electricity metering credits, for a term not to exceed 20 years on such terms and conditions as the Board of Selectmen deem in the best interest of the Town.



### **ARTICLE 23 ADDITIONAL MOTIONS/AMENDMENTS**

May 10, 2016 Failed: I move to refer back to Sponsor.

Arsene Bajakian, Precinct 23



#### **ARTICLE 24**

To see if the Town will vote to appropriate the proceeds of any insurance policy reimbursements of costs incurred as a result of any covered loss, including without limitation any liability insurance, property insurance, casualty insurance, workers' compensation insurance, health insurance, disability insurance, automobile insurance, police and fire injury and medical costs, and any other insurance of any name and nature whatsoever.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer** 

**April 26, 2016 Voted:** That the Town appropriate \$36,561.74 from the Receipt Reserve for Appropriation Insurance Proceeds over \$20,000 to the Legal Services budget for the reimbursement of legal costs covered by insurance; and further, to appropriate \$500,000.00 from the Receipt Reserve of Appropriations Insurance Proceeds over \$20,000 to the School Department budget for the reimbursement of McCarthy School Water Damage; and further, to appropriate \$25,836.00 from the Receipt Reserve for Appropriation Insurance Proceeds over \$20,000 to the Police Department budget for the reimbursement of a police cruiser.



#### **ARTICLE 25**

To see if Town Meeting will vote to amend the Framingham Zoning By-Law by adding two new sections, Section II.A.9.a Corporate Mixed-use District I (CMU I) and II.A.9.b. Corporate Mixed-use District II (CMU II), amend the Table of Uses related to include the new CMU I and the CMU II Districts in Section II.B, add a new Section II.J Corporate Mixed-use District, and amend the Dimensional Regulations by adding the new CMU I and CMU II into Section IV.E., amend section VI.G.1. related to the CMU I and CMU II, as presented in the background information of the of the Annual Town Meeting warrant submitted to Annual Town Meeting.

Pass any vote or take any action relative thereto.

**Sponsor: Planning Board** 

May 4, 2016 Voted: That Article 25 Corporate Mixed-Use Zoning Bylaw be referred back to Sponsor with the concurrence of the Sponsor.



#### ARTICLE 26

To see if Town Meeting will vote to amend the Framingham Zoning Map by creating a new Corporate Mixed-Use I and Corporate Mixed-Use II Zoning District, as presented in the background information of the Of the Annual Town Meeting warrant submitted to Annual Town Meeting.

Pass any vote or take any action relative thereto.

**Sponsor: Planning Board** 

**May 4, 2016 Voted:** That Article 26 Corporate Mixed-Use Zoning Map amendments be referred back to Sponsor with the concurrence of the Sponsor.



#### ARTICLE 27

To see if Town Meeting will vote to amend the Framingham Zoning By-Law by deleting the existing Section V.H. Affordable Housing and replacing it with a new Section V.H. Inclusionary Housing By-Law as presented in the background information of the of the Annual Town Meeting warrant submitted to Annual Town Meeting.

Pass any vote or take any action relative thereto.

**Sponsor: Planning Board** 

**May 4, 2016 Voted:** That the Framingham Zoning Bylaw be amended by deleting the existing Section V.H. Affordable Housing and replacing it with a new Section V.H. Inclusionary Housing Bylaw as presented in the "Amended Motions & Additional Background: Part 2" handout placed on the back table of the Annual Town Meeting and as attached.

102 voting in favor, 6 opposed.



ARTICLE 27 ATTACHMENT SEPARATE FILE



#### ARTICLE 28

To see if Town Meeting will vote to amend the Framingham Zoning By-law by:

- a. amending existing sections of Section I.E. related to consistency and clarification;
- b. deleting the definition of Limited Manufacturing from Section I.E. Definitions;
- c. adding a definition for Master Plan (Master Land Use Plan) to Section I.E. Definitions;
- d. amending the citations in Section II.I.4 and II.I.6;
- e. deleting Section II.I.7 from the Central Business District section;
- f. amending Section VI.E.2.e; and
- g. and inserting a new Section VI.F.10.

as set forth in the background materials, which show those portions of the Zoning By-Law to be deleted, changed or amended in "red-line" format, (new text is underlined and deleted text is stricken through), as presented in the background information of the of the Annual Town Meeting warrant submitted to Annual Town Meeting.

Pass any vote or take any action relative thereto.

#### **Sponsor: Planning Board**

May 4, 2016 Voted: That Section IV.G.3.e. of the Framingham Zoning Bylaw be amended by replacing the existing words "of the lot" and "twenty percent" with the words "of the entire lot prior to subdivision of the land into individual parcels" and "fifteen percent" and also by adding "Contours shall be at 2 foot intervals based on the most recent National Geodetic Vertical Datum (NVGD). Plans shall note the collection source of the contour data. Final slope shall be reviewed and confirmed by the Town Engineer and/or by the Town's professional consultant." as presented in the "Amended Motion & Additional Background: Part 2" handout placed on the back table of Annual Town Meeting and as attached.

110 voting in favor, 2 opposed, 0 abstentions.



ARTICLE 28 ATTACHMENT SEPARATE FILE



#### **ARTICLE 29**

To see if Town Meeting will vote to amend Section VI D1 of the Zoning Bylaws by increasing the number of members of the Zoning Board of Appeals from three to five, by decreasing the minimum number of associate members from four to three; and by amending the Table in Article I, Section 1.3 of the General Bylaws to reflect such changes.

Pass any vote or take any action relative thereto.

**Sponsor: Citizen Petition** (*M. Warshaw*)

May 24, 2016 Voted: That Article 29 be referred back to Sponsor with the permission of the Sponsor.



#### **ARTICLE 29 ADDITIONAL MOTIONS/AMENDMENTS**

May 24, 2016 Motion not voted on due to refer back: I move that Town Meeting increase the number of members of the Zoning Board of Appeals from three to five and decrease the minimum number of associate members from four to three by:

- 1. Deleting the word "three" in the first sentence of Section VI D1 of the Zoning Bylaws and inserting in place thereof the word "five";
- 2. Deleting the word "four" in the fifth sentence of Section VI D1 of the Zoning Bylaws and inserting in place thereof the work "three"; and

Amending the Table under Article I, Section 1.3 of the General Bylaws by increasing the number of Members of the Zoning Board of Appeals from "Three" to "Five", increasing the term of office from "Three" to "Five", decreasing the number of Associate Members of the Zoning Board of Appeals from "Four" to "Three", and decreasing the number appointed yearly from "Four to Three".

William LaBarge, Precinct 16



#### ARTICLE 30

To see if the Town will authorize the Board of Selectmen to acquire by gift and to accept a conservation restriction on the land at 10 Auburn Street, identified as Assessor's Parcel 090-45-4154-000, and to acquire by gift and accept the deed to the Town of a fee simple interest in all of the 3.6 acre parcel described below, identified as Assessor's Parcel 091-54-2985-000, now or formerly owned by Francis L. Coolidge and Edward P. Lawrence, as they are Trustees of the Janet Stone Wiggins Trust established November 2, 1997, as amended December 6, 1985, under the terms of the Will of Janet Stone Wiggins (a/k/a Janet S. Wiggins and Janet S. Wiggins) Middlesex South District Probate Docket N. MI 08P-4862-EP1, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, the land at 18 Auburn Street to the TOWN OF FRAMINGHAM, through its Conservation Commission, for administration, control, and maintenance under the provisions of M.G.L., Chapter 40, §8C; said parcel of land being described as follows:

The land in said FRAMINGHAM in that part thereof called Framingham Centre, with the buildings thereon, bounded and described as follows: Southerly by Auburn Street and Auburn Street Extension by two lines, one hundred eighty and 67/100 (180.67) feet and four hundred twenty-nine and 91/100 (429.91) feet; Westerly by land of the Puffer Estate, there measuring one hundred fifty-five and 81/100 (155.81) feet; Northerly by land formerly of Charles H. Thurber and now believed to be of one Newhall, there measuring twenty-nine and 4/100 (29.04) feet; and again Westerly by last named land, one hundred thirty-six and 37/100 (136.37) feet; Northerly by last named land, four hundred fifty-one and 78/100 (451.78) feet; and again Northerly by the Sudbury River to the thread thereof; Easterly by the thread of the Sudbury River on hundred twenty (120) feet, more or less; Southeasterly by the Sudbury River from its thread to the westerly bank thereof; and again Southeasterly by land formerly of the Mutual Real Estate Company and now believed to be of one Senecal, one hundred seventy-two (172) feet. The granted premises are shown as Lot B on plan entitled "Framingham, Mass. Plan of Land owned by Arthur K. Stone, Scale l" = 40', May, 1928, Edward H. Howard, Cons. Engineer", it being the intention of the grantors to convey all of said property shown as Lot B, however the same may be bounded or described.

Excepting from the above-described property that certain parcel of land situated on Auburn Street Extension, in Framingham, Middlesex County, Massachusetts being shown as Parcel A on a plan entitled "Plan of Land in Framingham, Massachusetts, prepared for Janet Stone Wiggins," dated 19 July, 2002, by Schofield Brothers of New England, Inc., and recorded as Plan No 1137 of 2002, containing 5,140 square feet, more or less, according to said plan.

#### A plan of the premises described above is on file in the Town Clerk's Office.

And further to see if the Town will authorize the Board of Selectmen to grant to the Sudbury Valley Trustees, Inc. a Conservation Restriction to encumber the premises described above at 18 Auburn Street,

And, further to see if the Town will vote to authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out this acquisition, including the submission, on behalf of the town, of any and all applications deemed necessary for grants and/or reimbursements from any state or



#### **ARTICLE 30 (CONTINUED)**

federal programs and to receive and accept such grants or reimbursements for this purpose, and/or any other purposes in any way connected with the scope of this Article.

Pass any vote or take any action relative thereto.

**Sponsor: Board of Selectmen** 

May 10, 2016 Voted: That the Board of Selectmen be authorized to accept a conservation restriction on the land at 10 Auburn Street, identified as Assessor's Parcel 090-45-4154-000, and to acquire by gift and to accept the deed to the Town of a fee simple interest in all of the 3.6 acre parcel described below, identified as Assessor's Parcel 091-54-2985-000, now or formerly owned by Francis L. Coolidge and Edward P. Lawrence, as they are Trustees of the Janet Stone Wiggins Trust established November 2, 1997, as amended December 6, 1985, under the terms of the Will of Janet Stone Wiggins (a/k/a Janet S. Wiggins and Janet S. Wiggins) Middlesex South District Probate Docket N. MI 08P-4862-EP1, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, the land at 18 Auburn Street through its Conservation Commission, for administration, control, and maintenance under the provisions of MGL, Chapter 40, §8C and that the Board of Selectmen grant to the Sudbury Valley Trustees, Inc. a Conservation Restriction to encumber the premises described above, and that the Board of Selectmen and Town officers be authorized to take all related actions necessary or appropriate to carry out this acquisition, including the submission, on behalf of the Town, of any and all applications deemed necessary for grants and/or reimbursements from any state or federal programs and to receive and accept such grants or reimbursements for this purpose, and/or any other purposes in any way connected with the scope of this article, or to take any action related thereto.

Unanimously passed.



#### ARTICLE 31

To see if the Town will authorize the Board of Selectmen to acquire by purchase and to accept a Conservation Restriction from JOHNSON FAMILY VENTURES, LLC, a Massachusetts limited liability company having a usual place of business at 936 Central Street, Framingham, Massachusetts for consideration of Two Hundred Thirty-Seven Thousand and 00/100 (\$237,000.00) Dollars to be granted to the Town of Framingham acting by and through its Conservation Commission, by authority of G.L.c. 40, § 8C, and its permitted successors and assigns ("Grantee"), in perpetuity and exclusively for conservation purposes, the said Conservation Restriction to encumber a portion of the land located in the Town of Framingham, Massachusetts, as shown as "Lot A 936 CENTRAL STREET Area = + 236,325 Sq. Ft. 5.4 Acres" on the plan titled "Subdivision Plan of Land Central Street and Edgell Road, Framingham, Middlesex County, Massachusetts" dated February 19, 2015 prepared by Samiotes Consultants, Inc.

A plan of the premises described above depicting the limits of the Conservation Restriction to be granted to the Town is on file in the Town Clerk's Office.

And, further to see if the Town will vote to authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out this acquisition, including the submission, on behalf of the town, of any and all applications deemed necessary for grants and/or reimbursements from any state or federal programs and to receive and accept such grants or reimbursements for this purpose, and/or any other purposes in any way connected with the scope of this Article.

Pass any vote or take any action relative thereto.

#### **Sponsor: Board of Selectmen**

May 10, 2016 Voted: That the Board of Selectmen be authorized to acquire by purchase and to accept a Conservation Restriction from JOHNSON FAMILY VENTURES, LLC, a Massachusetts limited liability company having a usual place of business at 936 Central Street, Framingham, Massachusetts for consideration of Two Hundred Thirty-Seven Thousand and 00/100 (\$237,000.00) Dollars to be granted to the Town of Framingham acting by and through its Conservation Commission, by authority of GL.c. 40, §8C, and its permitted successors and assigns ("Grantee"), in perpetuity and exclusively for conservation purposes, the said Conservation Restriction to encumber a portion of the land located in the Town of Framingham, Massachusetts, as shown as "Lot A 936 CENTRAL STREET Area = + 236,325 Sq. Ft. 5.4 Acres" on the plan entitled "Subdivision Plan of Land Central Street and Edgell Road, Framingham, Middlesex County, Massachusetts" dated February 19, 2015 prepared by Samiotes Consultants, Inc., and that the Board of Selectmen and Town officers be authorized to take all related actions necessary or appropriate to carry out this acquisition, including the submission, on behalf of the Town, of any and all applications deemed necessary for grants and/or reimbursements from any state or federal programs and to receive and accept such grants or reimbursements for this purpose, and/or any other purposes in any way connected with the scope of the article, or to take any action related thereto.

137 voting in favor, 3 opposed, 0 abstentions.



#### **ARTICLE 32**

To see if the Town will vote to hear a report of the Board of Selectmen relative to the laying out, the widening of, or the alteration to, and acceptance of the following streets, pursuant to Chapter 82 of the General Laws as affected by Chapter 410 of the Acts of 2014; and to see if the Town will vote to accept said streets or the widening or alteration of said streets as a public way, as laid out by the Board of Selectmen and as shown on a plan or plans on file in the Office of the Town Clerk:

- A. Lavelle Drive extending from Grove Street to its terminus;
- B. Surro Drive extending from Lavelle Drive to its terminus;
- C. Doeskin Drive extending from Mountainview Drive to its terminus;
- D. Mountainview Drive extending from Woodstock Drive to its terminus;
- E. Woodstock Drive extending from Carter Drive to Nobscot Drive;
- F. Ron's Way extending from Water Street to its terminus;
- G. Wayside Circle from Wayside Inn Road to its terminus.

And, further, to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain, or otherwise, and to accept a deed or deeds to the Town of a fee simple interest or easements in any land necessary for said laying out, and any associated drainage, utility or other easements for said streets, and to authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out the purposes of this article.

Pass any vote or take any action relative thereto.

#### **Sponsor: Board of Selectmen / Department of Public Works**

May 11, 2016 Voted: That a report of the Board of Selectmen be heard relative to the laying out and acceptance of Doeskin Drive, Surro Drive, Lavelle Drive, Mountainview Drive, Ron's Way, Woodstock Drive and Wayside Circle pursuant to Chapter 82 of the General Laws as affected by Chapter 410 of the Acts of 2014; and that said streets be accepted as public ways, as laid out by the Board of Selectmen and as shown on plans on file in the Office of the Town Clerk;

Further, that the Board of Selectmen be authorized to acquire by gift, purchase, eminent domain, or otherwise, and to accept a deed or deeds to the Town of easements in any land necessary for said laying out, and any associated drainage, utility or other easements for said streets, and that the Board of Selectmen and town officers be authorized to take all related actions necessary or appropriate to carry out the purposes of this article.

125 voting in favor, 3 opposed, 0 abstentions.



### **ARTICLE 32 ADDITIONAL MOTIONS/AMENDMENTS**

May 11, 2016 Failed: I move that Wayside Circle be deleted from the list of streets to be accepted in Article 32.

**Stephen Shull, Precinct 2** 



#### ARTICLE 33

To see if the Town will vote to hear a report of the Board of Selectmen relative to the laying out, the widening of, or the alteration to a portion of Hartford Street at Intersection of Concord Street to include within the layout of said Hartford Street at Intersection of Concord Street that area identified as "Easement Plan for 493 Concord Street" pursuant to Chapter 82 of the General Laws; and to see if the Town will vote to accept said streets or the widening or alteration of said streets as a public way, as laid out by the Board of Selectmen and as shown on a plan or plans on file in the Office of the Town Clerk.

And, further, to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain, or otherwise, and to accept a deed or deeds to the Town of a fee simple interest or easements in any land necessary for said laying out, and any associated drainage, utility or other easements for said streets, and to authorize the Board of Selectmen and town officers to take all related actions necessary or appropriate to carry out the purposes of this article.

Pass any vote or take any action relative thereto.

#### Sponsor: Board of Selectmen / Department of Public Works

May 11, 2016 Voted: That a report of the Board of Selectmen be heard relative to the laying out, the widening of, or the alteration to a portion of Hartford Street at Intersection of Concord Street to include within the layout of said Hartford Street at Intersection of Concord Street that area identified as "Easement Plan for 493 Concord Street" pursuant to Chapter 82 of the General Laws and that said streets or the widening or alteration of said streets as a public way, as laid out by the Board of Selectmen and as shown on a plan or plans on file in the Office of the Town Clerk;

Further, that the Board of Selectmen be authorized to acquire by gift, purchase, eminent domain, or otherwise, and to accept a deed or deeds to the Town of a fee simple interest or easements in any land necessary for said laying out, and any associated drainage, utility or other easements for said streets, and that the Board of Selectmen and town officers be authorized to take all related actions necessary or appropriate to carry out the purposes of this article.

125 voting in favor, 3 opposed, 0 abstentions.



#### **ARTICLE 34**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise an easement identified as "EASEMENT "A" area =9,898 s.f. or .23 ACRES" shown on the plan dated March 27, 2015 prepared by Bruce K. Kinsman, P.L.S for the Town of Framingham Department of Public Works (the "Plan") as shown on the plan or plans on file with the Office of the Town Clerk, which easement is necessary for access to the Town's water tank located within the easement area situated off of Brimstone Lane as shown as "TOWN OF FRAMINGHAM WATER TANK EASEMENT DEED BOOK 1262, PAGE 154 CERT.#22854 LAND COURT PLAN 4869-M" on said Plan, and to authorize the Board of Selectmen and town officers to take all related actions necessary or appropriate to carry out the purposes of this article.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen / Department of Public Works

May 11, 2016 Voted: That the Board of Selectmen be authorized to acquire by gift, purchase, eminent domain or otherwise an easement identified as "EASEMENT "A" area =9,898 s.f. or .23 ACRES" shown on the plan dated March 27, 2015 prepared by Bruce K. Kinsman, P.L.S. for the Town of Framingham Department of Public Works (the "Plan") as shown on the plan or plans on file with the Office of the Town Clerk, which easement is necessary for access to the Town's water tank located within the easement area situated off of Brimstone Lane as shown as "TOWN OF FRAMINGHAM WATER TANK EASEMENT DEED BOOK 1262, PAGE 154 CERT. #22854 LAND COURT PLAN 4869-M" on said Plan, and that the Board of Selectmen and town officers be authorized to take all related actions necessary or appropriate to carry out the purposes of this article.

125 voting in favor, 3 opposed, 0 abstentions.



#### **ARTICLE 35**

To see if the Town will vote to hear a report of the Board of Selectmen relative to the alteration of Sealtest Drive of a portion of the layout of Sealtest Drive made by the Board of Selectmen on pursuant to the vote under Article 13 of the 1969 Framingham Annual Town Meeting on March 25, 1969 and to see if the Town will vote to abandon and discontinue the remaining portion that layout of said way pursuant to Chapter 82 of the General Laws, which portion is shown on a plan or plans on file in the Office of the Town Clerk.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen / Department of Public Works

May 11, 2016 Voted: That the Town hear a report of the Board of Selectmen relative to the alteration of Sealtest Drive of a portion of the layout of Sealtest Drive made by the Board of Selectmen pursuant to the vote under Article 13 of the 1969 Framingham Annual Town Meeting on March 25, 1969 and that the Town abandon and discontinue the remaining portion of that layout of said way pursuant to Chapter 82 of the General Laws, which portion is shown on a plan or plans on file in the Office of the Town Clerk.

Unanimously passed.



#### ARTICLE 36

To see if the Town will vote to amend Article III of the General Bylaws to add a new section 1.18 as follows:

Town Meeting shall not consider, whether by citizens petition or otherwise, articles relating to the reputation, character, physical condition, mental health, professional competence, job performance, discipline, dismissal, or removal of individual town employees, inasmuch as personnel authority over town employees (with the exception of school department, library and planning board employees), is vested within the exclusive authority of the Town Manager pursuant to Chapter 27 of the Acts of 1996.

Pass any vote or take any action thereto.

**Sponsor: Board of Selectmen** 

May 11, 2016 Voted: That the Board of Selectmen be authorized to petition the General Court to enact legislation for Framingham providing that, notwithstanding Chapter 143 of the Acts of 1949, Massachusetts General Laws, Chapter 39, Section 10, or other special act or general law, that (a) the Board of Selectmen shall not accept a warrant article, whether by citizens petition or otherwise, relating to the reputation, character, physical condition, mental health, professional competence, job performance, discipline, dismissal, or removal or individual town employees, and (b) the Framingham Town Meeting shall not consider motions under any warrant article relating to the above described situations. The Legislature may make clerical or editorial changes to the form of the bill provided that the Board of Selectmen approve such changes as being within the scope of the general public objectives of this petition.

100 voting in favor, 25 opposed, 4 abstentions.



#### ARTICLE 37

I move that Town Meeting vote to amend General By Law Article II – Functions and Authority of Permanent Officers, Boards and Committees of Town , section 2.7 (b) and section 19.5.1 (a) by inserting words that will limit annual Town Operating Budget increases to 2.0% over the previous (LY) approved Town Operating Budget.

Amend General By Law Article II, Section 2.7 (b) by deleting present wording in section 2.7 (b) (preparing and submitting, after consultation with all town departments , an annual operating budget and capital improvement program for town departments.) Replace with the following wording: <a href="Prepare and submit, after consultation with all town departments">Prepare and submit, after consultation with all town departments, an annual operating budget THAT WILL NOT EXCEED A 2.0% INCREASE OVER THE PREVIOUS YEARS APPROVED TOTAL OPERATING BUDGET (bottom line).</a>

Also prepare and submit a capital improvement program for the town.

And, amend General By Law Article II, section 19.5.1 (a) by deleting presenting wording section 19.5.1 (a) (to coordinate and manage the town —wide annual operating and capital budget process for all town departments, officers, boards, committees and commissions, in cooperation with those entities.) **Replace with the following wording:** 

coordinate and manage the town –wide <u>LIMITED 2.0%ANNUAL INCREASE OPERATING BUDGET</u>, and Capital budget process for all town departments, officers, boards, committees and commissions, in cooperation with those entities.

**Sponsor: Citizen Petition** (*P. Pleshaw*)

**May 11, 2016 Failed:** That the General Bylaw, Article II – Functions and Authority of Permanent Officers, Boards and Committees of Town, section 2.7(b) and section 9.5.1(a) be amended by inserting words that will **limit annual Town Operating Budget increases to 2.0%** over the previous (LY) approved Town Operating Budget.

That the General Bylaw, Article II, Section 2.7(b) be amended by adding the text in red bold:

Preparing and submitting, after consultation with all town departments, an annual operation budget that will not exceed a 2.0% increase over the previous years approved total operating budget (bottom line). Also prepare and submit a capital improvement program for the town.

That the General Bylaw, Article II, Section 19.5.1(a) be amended by adding the text in bold:

Section 19.5.1(a) coordinate and manage the town-wide **limited 2.0% annual increase operating budget**, and Capital budget process for all town departments, officers, boards, committees and corporation



#### ARTICLE 38

To see if the Town will vote to amend the Town bylaws Article III Section 1.6.1 regarding procedures for re-voting a previously voted motion.

Pass any vote or take any action relative thereto.

**Sponsor: Rules Committee** 

**May 11, 2016 Voted:** That the Town Bylaws, Article III, Section 1.6.1 be amended by deleting the words as shown as **strikeout** and adding the words shown as **underlined** on the attached and on the handout.



Article 38
Reconsideration
Procedures
5-11-2106
Rules Committee

#### **REVISED Motion:**

#### Additional changes made in section (c).

I move that the Town amend the Town bylaws Article III Section 1.6.1 by deleting the words shown below as strikeout and adding the words shown below as **underlined**.

- **1.6.1** A motion to reconsider a vote on any question shall be in order if any one of the following four conditions is met:
  - (a) If the motion is made during the session the original vote was made.
    - Debate and a vote on the motion <u>to reconsider</u> however, shall be tabled to the first order of business of the next session, unless by majority vote debate and a vote on the motion is tabled to the first order of business of a definite designated session.
  - (b) If the motion is made with seventy-five percent consent of all Town Meeting Members present at any session after the session at which the original vote was taken.
    - Debate and a vote on the motion <u>to reconsider</u> however, shall be tabled to the first order of business of the next session, unless by majority vote debate and a vote on the motion is tabled to the first order of business of a definite designated session.
  - (c) If the motion is made after the session the original vote was taken, provided written notice of such intention was given to the Town Clerk on the day after the original vote. The Town Clerk shall give immediate notice of pending reconsideration by notifying the local daily newspaper.
    - At the first session following such publication, when the motion to reconsider is made, debate and a vote on the motion to reconsider is taken; Debate and a vote on the motion made under this condition shall be taken on the motion when made, at the first session following such publication; unless by a majority vote,



debate and a vote on the motion <u>to reconsider</u> is tabled to the first order of business of a definite designated session.

(d) If in\_the case of a final session a motion is made for reconsideration of any matter previously voted during the same session or during a session on the immediately preceding day.

However, a debate and a vote on this motion <u>to reconsider</u> may be taken only after all other articles have been acted upon unless in the Moderator's discretion debate and a vote on the motion at any other point in the session would expedite the conduct of Town Meeting.

#### **Background Material:**

These changes are proposed to make it clear when the motion to reconsider can be made and to when the motion to be re-voted is to be made and voted upon.



### ARTICLE 39

To see if the Town will vote to revise the Town Bylaws Article III, Section 2 on Standing Committees.

Pass any vote or take any action thereto.

**Sponsor: Rules Committee** 

May 11, 2016 Voted: That the Bylaws, Article III, Section 2 Standing Committees, be amended as shown in the warrant and attached.



#### **ARTICLE 39 ATTACHMENT**

#### **Bylaws Article III, Section 2 Standing Committees**

In section 2.1.3(a) regarding the Public Works Standing Committee replace 'the Town owned Buildings Department'

with

'the Capital Projects and Facilities Division'

In section 2.1.3(c) regarding the Community Services Standing Committee replace:

'Parks, Recreation and Cultural Affairs Division, the Edgell Grove Cemetery, the Community Development Block Grant Committee, Council on Aging, Human Relations, Veterans Service, and Fair Housing'

with

'Parks, Recreation and Cultural Affairs Division, <u>the Veteran Services Department</u>, the Edgell Grove Cemetery, the Community Development Block Grant <u>appropriations</u>, Council on Aging, Human Relations, and Fair Housing.'

In section 2.1.3(d) regarding the Public Safety Standing Committee replace:

'the Police Division (with the exception of Council on Aging, Human Relations and Veterans Service), the Fire Division, and the Inspection Services Division excluding the Town Owned Buildings Department'

with

'the Police Division, the Fire Division, the Inspection Services Division, and <u>the Public Health</u> **Division**'



#### **ARTICLE 40**

To see if Town Meeting will vote to amend Article III, Section 3.2 of the General Bylaws by deleting the word "twelve" and inserting in place thereof the word "nine", or take any action relative thereto.

**Sponsor: Government Study Committee** 

**April 26, 2016 Voted:** That the General Bylaws, Article III, Section 3.2 be amended by deleting the word "twelve" and inserting in place thereof the word "nine".



#### **ARTICLE 41**

To see if the Town will vote to amend Article V, Section 9 of the General By-Laws as follows, with deleted text shown as strikeout and added text in bold, underlined print.

Pass any vote or take any action thereto.

**Sponsor: Disability Commission** 

May 11, 2016 Voted: That the General Bylaws, Article V, Section 9 be amended as it appears in the handout entitled, "Amended Motions & Additional Background – Part 2" provided to Town Meeting and as attached, with deleted text shown as strikeout and added words shown as underlined.



ARTICLE 41 ATTACHMENT SEPARATE FILE



### **ARTICLE 41 ADDITIONAL MOTIONS/AMENDMENTS**

May 11, 2016 Failed: I move to refer back Article 41 to be brought back at the Fall Town Meeting.

William McCarthy, Precinct 10



#### ARTICLE 42

To see if the Town will vote to amend the Town Bylaws by adding a PLASTIC BAG REDUCTION BYLAW.

Motion: I Move to amend the bylaws by adding Section 8 Plastic Bag Reduction Bylaw to article VIII as follows:

#### 8.1 Purpose and Intent

The production and use of thin-film single-use plastic checkout bags have significant impacts on the environment, including, but not limited to: contributing to the potential death of marine animals through ingestion and entanglement; contributing to pollution of the land environment; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil nationally for their manufacture.

The purpose of this bylaw is to eliminate the usage of thin-film single-use plastic bags by all retail and grocery stores in the Town of Framingham, on or after January 1, 2017.

#### 8.2 Definitions

- 8.2.1 **Checkout bag:** A carryout bag provided by a store to a customer at the point of sale. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or checkout area of the store.
- 8.2.2 **Grocery Store:** A retail establishment where more than fifty percent (50%) of the gross floor area is devoted to the sale of food products for home preparation and consumption, which typically also offers home care and personal care products.
- 8.2.3 **Retail Store:** An establishment that offers the sale and display of merchandise within a building.
- 8.2.4 **Reusable checkout bag:** A bag, with handles, that is specifically designed for multiple use and is made of thick plastic, cloth, fabric or other durable materials.
- 8.2.5 **Thin-film single-use plastic bags:** Typically with plastic handles, these are bags with a thickness of 2.5 mils or less and are intended for single-use transport of purchased products.

#### 8.3 Use Regulations

- 8.3.1 Thin-film single-use plastic bags shall not be distributed, used, or sold for checkout or other purposes at any retail or grocery store within the Town of Concord.
- 8.3.2 Customers are encouraged to bring their own reusable or biodegradable shopping bags to stores. Retail or grocery stores are strongly encouraged to make reusable checkout bags available for sale to customers at a reasonable price.
- 8.3.3 Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles, are still permissible.

#### 8.4. Enforcement Process

Enforcement of this bylaw shall be the responsibility of the Town Manager or his/her designee. The Town Manager shall determine the inspection process to be followed, incorporating the process



into other town duties as appropriate. Any retail or grocery store distributing plastic grocery bags in violation of this bylaw shall be subject to a non-criminal disposition fine as specified in Appendix A of the Regulations for Enforcement of Town Bylaws under M.G.L. Chapter 40, §21D. Any such fines shall be paid to the Town of Framingham.

Take any other action relative thereto.

Sponsor: Citizen Petition (K. Weiss)

**May 11, 2016 Voted:** That the bylaws be amended by adding Section 8 Plastic Bag Reduction Bylaw to Article VIII as it appears in the handout entitled, "Amended Motions & Additional Background – Part 2" provided to Town Meeting and as attached.



ARTICLE 42 ATTACHMENT SEPARATE FILE



### **ARTICLE 42 ADDITIONAL MOTIONS/AMENDMENTS**

May 12, 2016 Failed: I make a motion to refer Article 42 back to Sponsor.

**Robert Case, Precinct 8** 



#### ARTICLE 43

To see if Town Meeting will vote to delete Article V, Section 29 of the General Bylaws in its entirety, including all subsections, entitled "Sex Offender Bylaw".

Pass any vote or take any action thereto.

**Sponsor: Government Study Committee** 

May 12, 2016 Voted: That Article V, Section 29 of the General Bylaws be deleted, including all subsections, entitled "Sex Offender Bylaw".



#### ARTICLE 44

To see if Town Meeting will request a special act for Framingham to set the number of signatures required to call a Special Town Meeting to be 500 signatures.

Pass any vote or take any action thereto.

**Sponsor: Rules Committee** 

May 12, 2016 Failed: That Town Meeting request a special act for Framingham to set the number of signatures required to call a Special Town Meeting to be 500 signatures.



### **ARTICLE 44 ADDITIONAL MOTIONS/AMENDMENTS**

May 12, 2016 Failed: I move to amend Article 44 to change the required signatures from 500 to 350.

**Audrey Hall, Precinct 3** 



#### **ARTICLE 45**

To see if Town Meeting will vote to reduce the number of "job searches" that a veteran receiving M.G.L. ch. 115 assistance must conduct from a maximum of ten (10) to a maximum of three (3).

Pass any vote or take any action relative thereto.

Sponsor: Citizen Petition (D. Butler)

May 12, 2016 Voted as amended: Be it resolved that it is the will of Town Meeting that the number of job searches that a veteran receiving M.G.L. ch. 115 assistance be minimum of three (3) job searches per week.



#### **ARTICLE 45 ADDITIONAL MOTIONS/AMENDMENTS**

May 12, 2016 Original motion not voted on due to passed amendment: Be it resolved that it is the will of Town Meeting that the number of job searches that a veteran receiving M.G.L. ch. 115 assistance be fixed at three (3) job searches per week.

**Deborah Butler, Precinct 7** 

May 12, 2016 Passed: I move to strike the words "fixed at" and insert "minimum" in the article.

**Deborah Butler, Precinct 7** 

May 12, 2016 Failed: I move to refer Article 45 back to the Sponsor because of flawed language.

C. Patrick Dunne, Precinct 9



#### ARTICLE 46

To see if Town Meeting will vote to refer disallowances reflected in Massachusetts Department of Veterans' Services VS-7 reports from May 2008 to March 2015 to the Standing Committee on Ways and Means for review and itemized report back at the Fall 2016 Special Town Meeting.

Pass any vote, or take any action relative thereto.

Sponsor: Citizen Petition (D. Butler)

May 12, 2016 Voted: That Article 46 be referred back to Sponsor.



#### **ARTICLE 46 ADDITIONAL MOTIONS/AMENDMENTS**

May 12, 2016 Original motion not voted on due to refer back: I move that Town Meeting vote to refer disallowances reflected in Massachusetts Department of Veterans' Services VS-7 reports from May 2008 to March 2015 to the Standing Committee on Ways and Means for review and itemized report back at the Fall 2016 Special Town Meeting.

**Deborah Butler, Precinct 7** 



#### **ARTICLE 47**

To see if Town Meeting will vote to restore compliance with the Massachusetts Veterans Bill of Rights by eliminating collection of private information from veterans seeking ch. 115 benefits by the Department of Veterans Services and Benefits.

Pass any vote, or take any action relative thereto.

**Sponsor: Citizen Petition** (*D. Butler*)

May 12, 2016 Voted: That Article 47 be referred back to Sponsor.



#### **ARTICLE 47 ADDITIONAL MOTIONS/AMENDMENTS**

May 12, 2016 Original motion not voted on due to refer back: Be it resolved that it is the will of Town Meeting to vote to restore compliance with the Massachusetts Veterans Bill of Rights by eliminating collection of private information from veterans who seek ch. 115 benefits by the Department of Veterans Services and Benefits.

**Deborah Butler, Precinct 7** 



#### ARTICLE 48

To see if Town Meeting will vote to prohibit the Director of Veterans Services and Benefits from placing veterans terminated from M.G.L. ch. 115 assistance on "refund status" without the review and written sign off by the Chief Financial Officer.

Sponsor: Citizen Petition (D. Butler)

May 12, 2016 Voted: That Article 48 be referred back to Sponsor.



#### **ARTICLE 48 ADDITIONAL MOTIONS/AMENDMENTS**

May 12, 2016 Original motion not voted on due to refer back: Be it resolved that it is the will of Town Meeting to vote to prohibit the Director of Veterans Services and Benefits from placing veterans terminated from M.G.L. ch. 115 assistance on "refund status" without the review and written sign off by the Chief Financial Officer.

**Deborah Butler, Precinct 7** 



#### **ARTICLE 49**

To see if Town Meeting will vote to authorize funding for a research committee to review plans to establish a Women Veterans' Memorial for women from Framingham who served during WWII in a branch of the United States military service.

Pass any vote, or take any action relative thereto.

Sponsor: Citizen Petition (D. Butler)

May 12, 2016 Failed as amended: That the Town create a five (5) member committee of Town Meeting Members, appointed by the Moderator with a budget of \$500, approved by the Chief Financial Officer on April 21, 2016, for the purpose of reviewing ways to honor the service of women from Framingham who served in a branch of the United States military service and report back to Town Meeting at the 2016 Fall Special Town Meeting.



#### **ARTICLE 49 ADDITIONAL MOTIONS/AMENDMENTS**

May 12, 2016 Original motion not voted on due to passed amendment: That the Town create a five (5) member committee of Town Meeting Members, appointed by the Moderator with a budget of \$500, approved by the Chief Financial Officer on April 21, 2016, for the purpose of reviewing ways to honor the service of women from Framingham who served during WWII in a branch of the United States military service and report back to Town Meeting at the 2016 Fall Special Town Meeting.

**Deborah Butler, Precinct 7** 

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May 12, 2016 Passed: I move to strike out "during WWII" in the motion for Article 49.

William LaBarge, Precinct 16



#### **ARTICLE 49 RESOLUTION A**

May 12, 2016 Passed: Be it resolved that Town Meeting supports the BOS's recommendation to honor women veterans as presented by the Chairman of the BOS.

**Audrey Hall, Precinct 3**